

1AP7 Rec'd PCT/PTO 29 AUG 2006'

<b>Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371</b>		Attorney Docket No.: 27577U U.S. Application No.: Not Yet Assigned <b>10/590992</b>
International Application No.: <b>PCT/EP2005/050958</b>	International Filing Date: <b>MARCH 3, 2005</b>	Priority Date Claimed: <b>MARCH 5, 2004</b>
Title of Invention: <b>NOVEL USE FOR PDE5 INHIBITORS</b>		
Applicants for DO/EO/US: DUNKERN, Torsten; SCHUDT, Christian; GRIMMINGER, Friedrich; GHOFrani, Ardeschir; KAPS, Manfred; ROSENGARTEN, Bernhard		
Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>ITEMS 11 to 20 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4)</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4)</li> <li>20. <input checked="" type="checkbox"/> Other items or information:           <p>TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2005/089766 A1, WITH THE PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: SEPTEMBER 29, 2005, WHICH CONSISTS OF 18 PAGES: 1 PAGE FOR THE COVER SHEET, WITH ABSTRACT, 14 PAGES OF TEXTUAL SPECIFICATION, 3 PAGES OF 20 CLAIMS, AND 0 SHEETS OF DRAWINGS; <b>PRELIMINARY AMENDMENT WITH APPENDICES A, B, AND C, TO BE EXAMINED</b>; UNEXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/IPEA/401 (DEMAND); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/IB/308 (FIRST NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/IB/308 (SECOND AND SUPPLEMENTARY NOTICE INFORMING THE APPLICANT OF THE COMMUNICATION OF THE INTERNATIONAL APPLICATION); PCT/RO/101 (REQUEST); POSTCARD FOR THE EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p> </li> </ol>		

U.S. Application No. <b>0992</b> Not yet assigned		International Application: <b>PCT/EP2005/050958</b>		Attorney Docket No.: 27577U	
The following fees are submitted:				<b>CALCULATION</b>	<b>PTO USE ONLY</b>
21. <input checked="" type="checkbox"/> Basic National Fee (37 CFR 1.492(a)).....				\$ 300.00	
22. <input checked="" type="checkbox"/> Examination Fee (37 CFR 1.492 (c)) If the written opinion prepared by ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 All other situations ..... \$ 200.00				\$ 200.00	
23. <input checked="" type="checkbox"/> Search Fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International Preliminary Examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$ 0.00 Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$ 100.00 International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$ 400.00 All other situations ..... \$ 500.00				\$ 400.00	
<b>Total of 21, 22 and 23</b>				<b>\$ 900.00</b>	
_ Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	# of each additional 50	RATE		
26-100 =	50 =		X \$250		
_ Surcharge of \$130.00 for furnishing the oath or declaration later than 20 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	# FILED	# EXTRA	RATE		
TOTAL	10-20=	0	X \$50		
INDEPENDENT	1-3=	0	X \$200		
Multiple dependent claims (if applicable)				+ \$360	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 900.00</b>	
_ Applicant claims small entity status. Fees above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$ 900.00</b>	
_ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).					
<b>TOTAL NATIONAL FEE =</b>				<b>\$ 900.00</b>	
_ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00 per property +</b>					
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 900.00</b>	
				Amount to be: refunded	\$
				Amount to be: charged	\$

U.S. Application No. 10/590992 Not US Assigned	International Application: PCT/EP2005/050958	Attorney Docket No.: 27577U
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a. ☒ A check in the amount of \$ **900.00** to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees.  
(A duplicate copy of this sheet is enclosed.)


c. ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit Card Information should not be included on this form. Provide credit card information and authorization on PTO-2038

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
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Date: August 29, 2006 By: 

Gary M. Nath, Reg. No. 26,965  
 Sheldon M. McGee, Reg. No. 50,454  
 Customer No. 34375

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
DUNKERN, et al.  
Application No.: Not Yet Assigned  
Filed: August 29, 2006  
Intl. Application No.: PCT/EP2005/050958  
Intl. Filing Date: March 3, 2005  
Title: NOVEL USE FOR PDE5 INHIBITORS

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:


- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing Under 35 U.S.C. 371;
- 3) International Publication Number: WO 2005/089766 A1, with the PCT/ISA/210 (International Search Report); International Publication Date: September 29, 2005, which consists of 18 pages:  
1 page for the Cover Sheet, with Abstract,  
14 pages of Textual Specification,  
3 pages of 20 Claims, and  
0 sheets of Drawings;
- 4) **Preliminary Amendment with Appendices A, B, and C, to be Examined;**
- 5) Unexecuted Declaration and Power of Attorney;
- 6) PCT/IPEA/401 (Demand);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/IB/308 (First Notice Informing the Applicant of the Communication of the International Application);
- 9) PCT/IB/308 (Second and Supplementary Notice Informing the Applicant of the Communication of the International Application);
- 10) PCT/RO/101 (Request);
- 11) Check No.: 2734 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a **Large Entity**;
- 12) Postcard for Early Notification of the Serial Number Request.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

Date: August 29, 2006

By:

  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
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